

**BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS,  
LAND SURVEYORS, CERTIFIED INTERIOR DESIGNERS  
AND LANDSCAPE ARCHITECTS MEETING**

**MINUTES**

The Virginia Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects (APELSCIDLA Board) met on December 10, 2008, at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia, with the following members present:

**Architects**

James R. Boyd  
John S. Clark, Jr.  
J. Everette Fauber, III

**Land Surveyors**

John R. McAden  
Nancy E. McIntyre  
W. R. Stephenson, Jr.

**Landscape Architects**

Vaughn B. Rinner  
William H. Spell (arrived at 9:06 a.m.)

**Professional Engineers**

Nico De León  
Stanley C. Harris, Sr.  
Wiley V. Johnson, III

**Interior Designers**

Lorri B. Finn  
Cameron C. Stiles

Staff present for all or part of the meeting were:

Jay W. DeBoer, Director  
Nick A. Christner, Deputy Director for Compliance and Investigation  
Mark N. Courtney, Deputy Director for Licensing and Regulation Division  
Kathleen R. Nosbisch, Executive Director  
Marian H. Brooks, Program Administrator  
Krystle Dawn Hoverstock, Administrative Assistant  
Earlyne Perkins, Legal Analyst

Steven P. Jack, Assistant Attorney General, was present at the meeting.

Ms. Stiles, Chair, called the meeting to order at 9:00 a.m.

Mr. Clark moved to approve the agenda. Mr. Fauber seconded the motion which was unanimously approved by members: Boyd, Clark, De León, Fauber, Finn, Harris, Johnson, McAden, McIntyre, Rinner, Stephenson, and Stiles.

**Call to Order**

**Approval of Agenda**

Mr. Fauber moved to approve the minutes for the following meetings as amended:

**Approval of Minutes**

- September 17, 2008, APELSCIDLA Board Meeting;
- October 1, 2008, Informal Fact-Finding Conference (LS);
- October 9, 2008, Informal Fact-Finding Conference (LS);
- October 28, 2008, Architects Section Meeting;
- November 4, 2008, Professional Engineers Section Meeting;
- November 6, 2008, Landscape Architects Section Meeting; and
- November 12, 2008, Land Surveyors Section Meeting.

Mr. Clark seconded the motion which was unanimously approved by members: Boyd, Clark, De León, Fauber, Finn, Harris, Johnson, McAden, McIntyre, Rinner, Stephenson, and Stiles.

**Public Comment Period** – Dean Hawkins, Certified Landscape Architect, thanked the Board for its actions following the December 13, 2007, APELSCIDLA Board meeting which resulted in a letter to VDOT, clarifying House Bill 521 amending the *Code of Virginia* to require acceptance of site plans sealed by Certified Landscape Architects. Mr. Hawkins also provided the Board with correspondence from the Governor's Office pertaining to House Bill 521, which was passed in 2006.

**Public Comment Period**

Mr. Spell arrived at the meeting at 9:06 a.m.

**Arrival of William H. Spell**

The Board members took a break from 9:07 a.m. to 9:10 a.m.

**Break**

Duncan Abernathy, VSAIA, was present to address the Board regarding individuals and businesses listed in the phone book as architects, and DPOR's procedure for processing these complains.

**Public Comment Period**

Robert R. Hollendonner was present to address the Board. Mr. Hollendonner explained that he was not aware that the contractor, whom he was doing business with, did not have the correct contractors' license to complete the job he was hired for. Mr. Hollendonner requested that the charges not go on his record, if he signed the Consent Order. Ms. Perkins explained Mr. Hollendonner's options of convening an Informal Fact-Finding Conference versus the Consent Order process.

**File Number 2008-03470, Robert R. Hollendonner**

Regarding **File Number 2008-03470, Robert R. Hollendonner**, the Board members reviewed the record and Consent Order. Mr. Clark moved to reject the Consent Order, and refer the file to an Informal Fact-Finding Conference. Mr. Boyd seconded the motion which was unanimously approved by members: Boyd, Clark, De León, Finn, Harris, Johnson, McAden, McIntyre, Rinner, Spell, Stephenson, and Stiles. As the reviewing Board member, Mr. Fauber was not present during the presentation, discussion, or vote.

Regarding **File number 2008-00632, William Allen Brown**, the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the investigative file, transcripts and exhibits, and the Summary of the Informal Fact-Finding Conference. Mr. McAden moved to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference finding no violation of the Board's regulations. Mr. Stephenson seconded the motion which was unanimously approved by members: Boyd, Clark, De León, Fauber, Finn, Harris, Johnson, McAden, Rinner, Spell, Stephenson, and Stiles. As the reviewing Board member, Ms. McIntyre was not present during the discussion or vote.

**File Number 2008-00631, William Allen Brown**

Regarding **File number 2007-02205, Stephen C. Letchford**, the Board members reviewed the Consent Order as seen and agreed to by Mr. Letchford. Mr. Stephenson moved to accept the Consent Order in which Mr. Letchford admits to a violation of 18 VAC 10-20-710.B of the Board's regulations. For this violation Mr. Letchford agrees to pay \$500.00 in Board costs. Ms. McIntyre seconded the motion which was unanimously approved by members: Boyd, Clark, De León, Fauber, Finn, Harris, Johnson, McIntyre, Rinner, Spell, Stephenson, and Stiles. As the reviewing Board member, Mr. McAden was not present during the discussion or vote.

**File Number 2007-02205, Stephen Letchford**

After reviewing the application and Agreement for Registration, Mr. Boyd moved to reject the agreement as seen and agreed to by Nelson & Associates Interior Design and Space Planning, Inc., and refer the file to an Informal Fact-Finding Conference. Mr. Fauber seconded the motion which failed by a majority vote with the following members voting yes: Boyd, Fauber, and Spell. The following members voted no: Clark, De León, Finn, Harris, Johnson, McAden, McIntyre, Rinner, Stephenson, and Stiles. Ms. McIntyre moved to accept the Agreement for Registration. Mr. Stephenson seconded the motion which passed by a majority vote with the following members voting yes: Clark, De León, Finn, Harris, Johnson, McAden, McIntyre, Rinner, Spell, Stephenson, and Stiles. The following members voted no: Boyd and Fauber.

**Agreement for Registration 2009-03, Nelson & Associates Interior Design and Space Planning, Inc.**

After reviewing the application and Agreement for Licensure, Mr. De León moved to accept the Agreement for Licensure as seen and agreed to by Allan Jerome Redden. Mr. Harris seconded the motion which was unanimously approved by members: Boyd, Clark, De León, Fauber, Finn, Harris, Johnson, McAden, McIntyre, Rinner, Spell, Stephenson, and Stiles.

**Agreement for Licensure 2009-04, Allan Jerome Redden**

Mr. Harris disclosed that he may know individuals who work for Tensar International Corporation and recused himself from the meeting

**Agreement for Registration 2009-05, Tensar International Corporation**

After reviewing the application and Agreement for Registration, Mr. Clark moved to accept the Agreement for Registration as seen and agreed to by Tensar International Corporation. Mr. Stephenson seconded the motion which was unanimously approved by members: Boyd, Clark, De León, Fauber, Finn,

Johnson, McAden, McIntyre, Rinner, Spell, Stephenson, and Stiles. The following member did not participate in the vote: Harris.

Ms. Nosbisch reminded the Board of the decision from the December 12, 2006, APELSCIDLA Board meeting regarding the design of closed storm water management systems by Landscape Architects. Ms. Rinner moved to approve open and closed storm water systems designed by Landscape Architects. Ms. McIntyre seconded the motion. Following a discussion, Mr. Johnson amended the motion to send a letter clarifying that Landscape Architects may design storm water systems. The motion was passed by a majority vote with the following members voting yes: Boyd, Clark, De León, Fauber, Finn, McAden, McIntyre, Rinner, Spell, Stephenson, and Stiles. The following members voted no: Harris and Johnson.

Ms. Nosbisch congratulated Mr. Fauber on his appointment, as the New Regional Director of NCARB.

Mr. Johnson disclosed that his employer provides on-site system designs and recused himself from the meeting. Mr. McAden disclosed that his employer provides Authorized Onsite Soil Evaluator (AOSE) services and recused himself from the meeting.

Mr. Courtney provided the Board members with background information regarding the transfer of the AOSE regulatory program from the Virginia Department of Health (VDH) to the Department of Professional and Occupational Regulation (DPOR) as of July 1, 2009. Mr. Harris moved to support the Board's letter written on December 2, 2008, to the Virginia Association of Professional Soil Scientists (VAPSS). Ms. Rinner seconded the motion with was passed by a majority vote with the following members voting yes: Boyd, Clark, De León, Fauber, Finn, Harris, McIntyre, Rinner, Spell, Stephenson, and Stiles. The following members did not participate in the vote: Johnson and McAden.

The Board members were provided with information on NCARB's Six-Month Rule, which requires interns to report their training units every six months.

The Board members were provided with a comprehensive report of enforcement activity since the last Board meeting.

Mr. Christner answered questions from Board members pertaining to complaints about individuals and businesses listed in the phone book as architects. Mr. Christner explained that he and his staff take these complaints very seriously, but intent can be hard to distinguish when these individuals and businesses are grouped together under one heading of the phone book. Mr.

**Request for  
Clarification for the  
Plan Review Process  
of Storm Water  
Computations**

**Recognition of J.  
Everette "Ebo"  
Fauber, III, New  
Regional Director of  
NCARB**

**Discussion of Letter  
from VAPSS**

**Discussion of  
NCARB's Six-  
Month Rule**

**Comprehensive  
Report of CID  
Activity**

Christner noted that it is easier to establish intent to deceive if an individual or business states that they are “Certified” or “Licensed” in their advertisement.

The Board members were provided with financial statements from October 2008 for informational purposes.

**Review of Board  
Financial  
Statements**

Mr. Fauber requested guidance from staff about the Board offering financial assistance to Architect students. Mr. DeBoer responded that the Board is not authorized to give financial assistance to students. Mr. DeBoer also noted that a budget amendment for educational assistance would have to be passed in order for the Board to provide any assistance.

**Other Business**

Mr. McAden inquired if staff has been informing respondents about the differences between an Informal Fact-Finding Conference and a Consent Order. Mr. Christner explained that staff spends a substantial amount of time explaining to individuals their rights on the phone, in person, and in writing.

The Board members were provided with an article on fraudulent foreign degrees and information on the Engineer-in-Training student application process.

Mr. Stephenson asked for an update on the proposed continuing education regulations. Mr. Courtney explained that the final proposed text has been sent to the Governor’s Office for approval.

Conflict of Interest forms were completed by all members present.

**Conflict of Interest  
Forms**

There being no further business, the meeting was adjourned at 10:51 a.m.

**Adjourn**

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Cameron C. Stiles, Chair

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Jay W. DeBoer, Secretary